

<b>Item No.</b>	<b>Applicant</b>	<b>Parish</b>	<b>Reference No.</b>
1	H Irwin Ltd	GRISTON	3PL/2008/0497/F
2	Mr Philip Hodson	BRETTENHAM	3PL/2008/1419/F
3	Mr I Haynes	ATTLEBOROUGH	3PL/2008/1522/O
4	Mr T Wells	WATTON	3PL/2008/1621/O
5	Mr T H & Mr P H Day	BESTHORPE	3PL/2008/1672/F
6	Mr R Storey & Ms S Moden	HORNINGTOFT	3PL/2009/0092/F
7	Mr S Mellor	GREAT ELLINGHAM	3PL/2009/0095/F
8	Miss Anne Bustard	CASTON	3PL/2009/0123/O

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

<b>ITEM</b>	<b>1</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0497/F	
<b>LOCATION:</b>	GRISTON Willow Fields Farm Caston Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	H Irwin Ltd Drisey Nook Farm Drisey Nook	
<b>AGENT:</b>	Berry Morris 44 South Bar Banbury	
<b>PROPOSAL:</b>	Siting of mobile home for temporary period	

### **KEY ISSUES**

1. Functional and financial need
2. Impact on the countryside

### **DESCRIPTION OF DEVELOPMENT**

The proposal is a resubmission of an application which was previously refused. The proposal seeks planning permission for the temporary siting of a mobile home in connection with the adjacent existing free range chicken farm. There are currently 12 mobile arcs and 9,000 birds on the land. The applicant has confirmed that, when fully operational, with a stockman living on site, the holding will have 30 mobile arcs (each housing about 750 birds) and a total of 22,000 birds at any one time. The farm is designed to produce a weekly output of 4,000 birds and 208,000 per year. The proposed mobile home is to be sited between the access, hard standing and turning area serving the feed bins and the access to the storage building in order that it can overlook all vehicles visiting the site and prevent unauthorised access to it. Access to the mobile home is through existing access to the feed bins. Further information has also been submitted in respect of the functional and financial tests.

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### **SITE AND LOCATION**

The site is located outside any Settlement Boundary to the south of the B1077, between the villages of Griston and Caston. The agricultural holding consists of 5 paddocks which were formally used to produce willow. Much of the willow along the boundaries of the paddocks and the outer boundaries has been retained.

The use of land as a chicken farm does not require planning permission. The arcs do not require planning permission.

Hardstanding, turning area and feed bins have been erected under the agricultural permitted development procedures. An agricultural storage building and vehicle wash down area has also been approved under the agricultural permitted development procedures. The wash down area is used for all vehicles visiting this site and the other farms in the area owned by the applicant.

### **RELEVANT SITE HISTORY**

3PL/2007/1495/F - Siting of a mobile home for a temporary period - Refused November 2007

3PL/2007/1494 - Single storey agricultural workers dwelling, detached garage and farm office - Refused November 2007.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

HOU.6: Development outside Settlement Boundaries

Planning Policy Statement No 7: Sustainable Development in Rural Areas

### **CONSULTATIONS**

GRISTON P C

Objection please see letter on file.

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER - Sewage treatment plant in accordance with Circular 03/99

HIGHWAY AUTHORITY - No objections subject to conditions

### **REPRESENTATIONS**

Letters of objection have been received raising the following issues:

- No need for accommodation on the site.
- Alternative accommodation available on adjacent mobile home site
- Increase in mud on highway
- Prerequisite to permanent dwelling

**ASSESSMENT NOTES**

This proposal is a resubmission of a previous proposal and comes before Members due to the site's history and local concerns. Further independent technical information has been provided to support the functional and financial tests and demonstrates there is no other available accommodation within sight and sound close to the unit.

In respect of the financial test, details have been given regarding the capital outlay to set up the site including the cost of the arks, storage buildings, provision of services including electricity and water, supply birds etc. This figure is approaching £500,000, which demonstrates a very significant investment in this farm. Information has been provided to demonstrate that the applicant has a firm intention to develop the farm. There are already arks and poultry on the farm. The applicant has indicated that with a skilled stockman living on site more arks (up to 30) will be introduced on the site. The applicant has several other farms in the area and 60 farms in total producing free range chickens. There is a clear ability to develop the business.

The applicant has confirmed that the farm has produced around 120,000 birds per year and has made a profit of approx £20,000. Once the development of the site is complete the farm will produce approx 208,000 birds which will increase the profit level beyond this level.

The agricultural appraisal indicates three functional requirements for 24 hour presence for a skilled stockman on site, bird welfare, bird bio security and site security.

The report indicates that there are 22,000 birds in 30 separate arks spread over a large area. There is an ongoing, continuous and regular check on the welfare of the birds in order to respond quickly to emergencies. The applicant has confirmed that the animal welfare codes cannot be met without a 24 hour on site presence. Stockmen are required to work unsociable hours, particularly early morning and late evening checks and to maintain a continuous presence to monitor the flock and deal with emergencies. A stockman is required on site to supervise the catching team when the birds are being caught which will occur twice a week at night. Bio security has become a major concern to poultry farmers. Site presence is required to prevent unauthorised access. The mobile has been re sited in order to supervise both the only vehicular entrance to the farm and the adjacent storage building and vehicular wash down site.

There are no existing dwellings on the site or in the immediate area to fulfil the identified functional need. The applicant has made inquiries regarding the use of a mobile home on the nearby mobile home site but there are no units for sale or rent and are only reserved for retired couples. There are available properties in close proximity to the site for sale or rent.

The proposal satisfies the criteria set out in PPS3 and given the temporary nature of the proposed accommodation it is recommended that temporary permission is granted for 3 years.

**RECOMMENDATION**

**Planning Permission**

**CONDITIONS**

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

- 3022** Temporary Building - 3 year
- 3500** Agricultural Workers dwelling
- 3740** Highway condition - access
- 3740** Highway condition - visibility splay
- 3740** Highway condition - access/parking/turning
- 3994** Highway Note
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans

**Griston Parish Council**  
(Clerk: Mrs B Park)

Tradarren  
Thompson Road  
Griston  
Thetford  
Norfolk  
IP25 6PT



28 April 2008

Dear Sir

Planning Ref 3PL/2008/0497/F

The Parish Council reiterates the objections raised to the previous application for a dwelling on this site.

1. The proven need is questioned.
  - a) There are properties for sale close by in the village of Griston .
  - b) Much is made of the need for Bio security but this will be compromised by importing dirty lorries and equipment from other sites to the new washing facility on the site that was recently given permission..
  - c) Security is another reason given but currently access to the site can be obtained at any time as the gates are left open round the clock.
  - d) The "paddocks" (there is no grass) are all screened by willow and therefore out of site of proposed dwelling.
  - e) It is believed that there is no lighting system within the arks, no alarm system and no gas brooders in use on the site.
  - f) The catching work at night is undertaken by a specialist gang.
2. The application form refers to a private treatment works for foul sewerage but the application for the washing facility suggested that would be connected to the main sewer. If this is so why would the proposed dwelling not be connected also. The Parish Council has already received numerous complaints regarding the muddy state of the road at this site. Vehicles exit the site and enter at another gateway, using the road instead of the field because of so much mud (another breach of bio security). If neither of these are connected to the main sewer the problems can only get worse, with contamination of a nearby watercourse a possibility.
3. The application form is confusing. It suggests a new access on to Caston Road but the plan does not show a new access and in fact shows the site on Thompson Road.
4. If permission is given for this application for a temporary caravan leading to a permanent dwelling, then the mobile home should be of the modern type that are currently being installed at Park Farm Caravan site just along the road from the application site. This would be a cheaper alternative to a permanent dwelling and could be removed when the site is no longer used for chicken rearing. It should also be subject to a renewable licence.
5. The Technical Appraisal states the arks are not portable – do they therefore need permission?

Yours faithfully

*B Park*

B Park

Clerk to the Council

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

<b>ITEM</b>	<b>2</b>	<b>REPORT RECOMMENDING APPROVAL</b>
<b>REF NO:</b>	3PL/2008/1419/F	
<b>LOCATION:</b>	BRETtenham Home Farm Shadwell	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> Adjacent Grade 2
<b>APPLICANT:</b>	Mr Philip Hodson Nunnery Stud Near Brettenham	
<b>AGENT:</b>	KWA Architects Chalk Farm High Street	
<b>PROPOSAL:</b>	C of U from agric. fields to equine use incor. an all weather gallop & two stables cons. of six boxes each	

**CONSULTATIONS**

**RECOMMENDATION** **Planning Permission**

- 3007** Full Permission Time Limit (3 years)
- 3048** In accordance with submitted AMENDMENTS
- 3920** Restriction of works during nesting
- 3920** Wildlife diversity
- 3549** No permanent external lighting without prior agreement
- 3920** No jumps.structures or other equipment
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

<b>ITEM</b>	<b>3</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/1522/O	
<b>LOCATION:</b>	ATTLEBOROUGH The Foundry Foundry Corner Buckenham Road	<b>APPN TYPE:</b> Outline <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr I Haynes The Foundry Foundry Corner	
<b>AGENT:</b>	Amy Tyrrell Architect 10 Stepping Lane Norwich	
<b>PROPOSAL:</b>	Erection of dwelling & garage/ carport	

### **KEY ISSUES**

1. Impact upon the character and appearance of the locality
2. Regard for previous planning approval
3. Highway safety
4. Neighbour amenity

### **DESCRIPTION OF DEVELOPMENT**

The application seeks outline planning permission for a new detached dwelling with all matters reserved. An indicative layout has been submitted in support of the application.

### **SITE AND LOCATION**

The application site consists of the northern part of the garden which accompanies the dwelling known as The Foundry. This dwelling is a large detached two storey dwelling. To the north east of the application site is the carriageway and to the west is open agricultural land.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

### **RELEVANT SITE HISTORY**

3PL/2007/1485/O - Erection of dwelling - Approved.  
3PL/2007/0645/O - Erection of dwelling - Withdrawn.  
3PL/1998/0355/F - Amendments to previously approved house (Ref no. 3/94/0593)- Approved.  
3PL/1994/0593/D - Erection of detached house and garage - Approved.  
3PL/1993/0767/O - Erection of detached house - Approved.  
3PL/1992/0711/O - Erection of house and bungalow - Refused.  
3PL/1992/0400/O - Erection of house and bungalow - Refused.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Sustainable Development  
PPS3: Housing  
PPS7: Sustainable Development in Rural Areas  
HOU6: Development outside Settlement Boundaries  
TRA5: Highway safety

### **CONSULTATIONS**

ATTLEBOROUGH TC

No objections, comment: It was noted that there will be poor access on a blind bend. It was suggested that it might be better to share access with the existing dwelling.

HIGHWAY AUTHORITY - No objection subject to conditions.

COUNCIL'S CONTAMINATED LAND OFFICER - No objection subject to conditions.

### **REPRESENTATIONS**

Neighbour objection on the grounds of the proposal being outside of the Settlement Boundary, out of character, detrimental to highway safety and misrepresentation of trees on site.

**ASSESSMENT NOTES**

\* The application is referred to Development Control Committee as it would represent a departure from Local Plan Policy HOU.6.

\* Planning permission has been granted for a single dwelling within the application site under 3PL/2007/1485/O. As part of this approval, siting was agreed so that the dwelling would be positioned within the defined Settlement Boundary with the surrounding garden land to the outside. Whilst the current applicants do not seek to deal with any specific matters such as siting, they make it clear within the submission documents that they wish for the dwelling to be outside the defined Settlement Boundary.

\* In assessing the appropriateness of a dwelling outside the Settlement Boundary within this application site, it is important to look at the previously approved scheme and the aims of national and local planning policy on dwellings in the countryside.

\* Policy HOU6 seeks to prevent development outside of settlement boundaries unless special justification exists. The aim of national and local policy is to restrict development in the interests of protecting the countryside.

In assessing the proposal with this aim in mind, it is considered that by securing a high quality design and layout in the northern part of the site this would make a more positive contribution to the character and appearance of the locality than a dwelling in the position previously approved. This is by virtue of the greater degree of separation which could be achieved between dwellings and it being capable of providing a "gateway" dwelling to this part of Attleborough. A plan providing a revised layout and indicative elevation of suitable high architectural quality is awaited.

\* The application site can accommodate a dwelling which will safeguard neighbour amenity in terms of light, outlook and privacy by virtue of the degree of separation between the site and adjacent neighbours. This will be fully assessed as part of a reserved matters application where the exact size of the dwelling and the position of the new openings would be included.

\* The Highway Authority have confirmed that, on the basis that visibility is provided at a level previously indicated in the approval of 3PL/2007/1485/O, they have no objections. The highway related conditions previously attached would be re-imposed on any subsequent approval.

\* In conclusion, it is considered that whilst the proposal is strictly contrary to Policy HOU6 in that it is outside the Settlement Boundary, it does offer the opportunity to represent an improved scheme to that previously approved in terms of it contributing more positively to the character and appearance of the locality. The application is, therefore recommended for approval.

**RECOMMENDATION**

**Outline Planning Permission**

**CONDITIONS**

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

- 3005** Outline Time Limit (3 years)
- 3058** Standard Outline Condition
- 3060** Standard outline landscaping condition
- 3048** In accordance with submitted AMENDMENTS
- 3750** Access to NCC standard
- 3750** Visibility splays
- 3750** Parking/turning within site
- 3304** No P.D. rights for extensions, sheds, etc
- 3402** Boundary screening to be agreed
- 3944** Contaminated Land - Desk Study/Site Investigation
- 3946** Contaminated Land - Unexpected Contamination
- 3923** Contaminated Land - Informative (Extensions)
- 3994** Non-standard note re contamination
- 3998** NOTE: Reasons for Approval
- 4000** Saved Local Plan Policies

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

<b>ITEM</b>	<b>4</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/1621/O	
<b>LOCATION:</b>	WATTON Westbury 51 Thetford Road	<b>APPN TYPE:</b> Outline <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr T Wells c/o agent	
<b>AGENT:</b>	Mr T Wells Wells McFarlane 8 St Johns Business Park	
<b>PROPOSAL:</b>	Demolition of outbuildings, improvement of existing access erect 5 dwellings & garages & retention of existing house	

### **KEY ISSUES**

1. Access and highway safety
2. Residential amenity
3. Protected trees
4. Form and character of the area

### **DESCRIPTION OF DEVELOPMENT**

The proposal seeks outline planning permission (including access) for the erection of 5 new dwellings and garages. The proposal also includes the demolition of outbuildings and the improvement of the existing access onto Thetford Road (A1075). It should be noted that the existing 2 storey dwelling on the site will be retained.

### **SITE AND LOCATION**

The site lies within the Settlement Boundary of Watton, immediately to the east of Thetford Road (A1075). It should also be noted that the site lies adjacent to another site (which is accessed off Monkams Drive) where outline planning permission was granted for the erection of 8 dwellings, following the demolition of an existing dwelling. The two sites constitute a net gain of 12 dwellings.

### **RELEVANT SITE HISTORY**

No relevant site history

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Sustainable Development  
PPS3: Housing  
PPS7: Rural Areas  
HOU2: Residential development in the towns  
TRA5: Highway safety

### **CONSULTATIONS**

WATTON TOWN CLERK

Objection: The Committee recommend refusal as the proposed two front properties were detrimental to the street scene with the existing house being an important feature of the Thetford Road. It would also cause an increase in traffic onto what is already a very busy main road into the town.

ENVIRONMENT AGENCY: Comments awaited and will be reported verbally at Committee.

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER: No comment

COUNCIL'S CONTAMINATED LAND OFFICER: No objection subject to conditions and informatives. Additionally, the Council's Contaminated Land Officer requested that the Environment Agency be consulted regarding the Desk Study and Risk Assessment report.

COUNCIL'S TREE & COUNTRYSIDE OFFICER: No objection in principle but concerns were expressed with regard to the Atlantic Cedar currently protected by Tree Preservation Order (TPO) 2009. No. 3. This is because the footprint of building 2b would be very close to the root protection area and the canopy of the tree would overshadow the future residents of this dwelling.

HIGHWAY AUTHORITY: No objection subject to conditions

### **REPRESENTATIONS**

One letter of objection received from a neighbour with regard to;

- volume of traffic
- spoilt view
- devaluing of surrounding property and impact on 'Westbury'
- congestion

**ASSESSMENT NOTES**

\* The proposal is referred to the Development Control Committee because a Ward Member has a potential interest in the scheme.

\* The proposal seeks outline planning permission (including access) for the erection of 5 dwellings and the retention of an existing dwelling (Westbury). It should be noted that, although the layout does not form part of the scheme, a revised layout has been provided demonstrating avoidance of any detrimental impact on an existing Atlantic Cedar (which is protected by a Tree Preservation Order). The Council's Tree Officer is now satisfied that the scheme would not be detrimental to the tree and that the shading impact of the tree has been significantly reduced.

\* The site lies within the Settlement Boundary of Watton and, as such, the principal of residential development is acceptable. The indicative scheme illustrating layout is of a density that is similar to that found within the surrounding area, including the previous residential scheme for 8 dwellings (ref: 3PL/2008/1622/O) which was granted permission at Development Control Committee on 9 March 2009. Additionally, the indicative footprints of the proposed dwellings are of a similar size to the footprints of surrounding properties in the area.

\* Norfolk County Council's Highways Officer has stated that it is evident from inspection of the site that visibility splays in excess of the minimum guidance are available in both directions from the proposed access from a 2.4m setback distance. Additionally, whilst the site layout is indicative only, it does demonstrate that necessary highway criterion can be incorporated to a development of this size within the site.

\* Concerns have been raised with regard to increasing volumes of traffic, the devaluation of surrounding property and development that would look congested and be detrimental to the streetscene. The indicative layout illustrates that the proposed dwellings can all be sited at a satisfactory distance from existing neighbouring dwellings to avoid a detrimental impact on residential amenity and, as stated above, the indicative scheme is sympathetic to the form and character of the area. With regard to traffic, the Highways Officer has not raised any concerns.

\* The application is recommended for approval.

**RECOMMENDATION**

**Outline Planning Permission**

**CONDITIONS**

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

- 3005** Outline Time Limit (3 years)
- 3058** Standard Outline Condition
- 3060** Standard outline landscaping condition
- 3048** In accordance with submitted AMENDMENTS
- 3104** External materials to be approved
- 3414** Fencing protection for existing trees
- 3920** Root Protection
- 3740** Visibility Splay
- 3740** Turning/roads/footway/foul/surface drainage/access/parking
- 3949** Contaminated Land - Site Investigation/Remediation
- 3946** Contaminated Land - Unexpected Contamination
- 3402** Boundary screening to be agreed
- 3802** Precise details of surface water disposal
- 3804** Precise details of foul water disposal
- 3923** Contaminated Land - Informative (Extensions)
- 3994** Garage Construction - tree preservation
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

<b>ITEM</b>	<b>5</b>	<b>RECOMMENDATION : REFUSAL</b>
<b>REF NO:</b>	3PL/2008/1672/F	
<b>LOCATION:</b>	BESTHORPE Attleborough Fish Farm Norwich Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlement Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr T H & Mr P H Day 22 Birch Drive Attleborough	
<b>AGENT:</b>	Mr B Flanagan 6B Crimea House Back Lane	
<b>PROPOSAL:</b>	Three bedroom house to supervise & maintain fish farm & associated business	

### **KEY ISSUES**

1. Outside Settlement Boundary
2. Extent to which the development would accord with national and local plan policy
3. Impact of the development on the character of the area

### **DESCRIPTION OF DEVELOPMENT**

The application seeks full planning permission for a detached dwelling on land at Attleborough Fish Farm outside the Settlement Boundary of the village of Besthorpe. Amended plans have been received moving the proposed dwelling away from existing trees which are to be retained.

### **SITE AND LOCATION**

The application site is located outside the Settlement Boundary of Besthorpe on the north side of Norwich Road. The site forms part of a fishing enterprise comprising farm shop, garden centre and day ticket fishery with membership facility. The site is currently used to store maintenance equipment used in the care of the enterprise. The site is screened from the highway by existing trees.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

### **RELEVANT SITE HISTORY**

3/85/1285 - Agricultural dwelling - Refused - Appeal dismissed.

3/94/0232 - Use of agricultural building for wholesale/retail sales - Approved

3PL/2004/0788 - Change of use to mixed commercial still water fishery, horticultural centre and retail shop - Approved

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Delivering Sustainable Development

PPS3: Housing

PPS7: Sustainable Development in Rural Areas

HOU.6: Residential development outside Settlement Boundaries

TRA.5: Highway safety

### **CONSULTATIONS**

BESTHORPE P C

Objection: The Council understands the security concerns but does not feel they justify making an exception to the village guideline area. It says two bedrooms above but the plans show three.

NB: Contrary to the reply to item 30, the site address adjoins a public footpath to the west.

HIGHWAYS AUTHORITY - No objection subject to condition and a S106 Agreement that the proposed dwelling remains occupied in connection with the fish farm and not sold off separately

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER - No objections

COUNCIL'S TREE AND COUNTRYSIDE OFFICER - No objection to principle but considers the proposed dwelling should be moved further away from the existing trees.

### **REPRESENTATIONS**

None

**ASSESSMENT NOTES**

\* The application is referred to the Development Control Committee at the request of the Ward Representative

\* The site is located outside the Settlement Boundary of the village of Besthorpe

\* The application falls principally to be considered against National Planning Policy Statement 7: Sustainable Development in Rural Areas and in particular Annex A which relates specifically to agricultural, forestry and other occupational dwellings and saved Policy HOU6 of the Breckland Local Plan. These policies seek to resist new housing development outside towns and villages except where specified criteria can be met including that the proposal should be supported by an independent assessor and that, should permission be granted, a condition be imposed restricting occupation of the dwelling to a person employed in connection with the rural enterprise

\* Paragraph 10 of PPS7 makes it clear that new houses in the countryside require special justification for planning permission to be granted. Exceptional circumstances may include where accommodation is required to enable agricultural, forestry and certain other full time workers to live at, or in the immediate vicinity of, their place of work

\* The main criteria which is required to be satisfied includes that there is a clearly established existing functional need, that the unit and activity has been established for at least three years and is currently financially sound with a clear prospect of remaining so; that the need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the worker concerned.

\* The case in support of the proposal is briefly set out in the design and access statement which accompanies the application and the main points are summarised below:

- The development proposes basic facilities essential for the consolidation and expansion of a business in a rural location and provides support for the expected increase in business activity and employment in this location

- The proposed dwelling will provide accommodation for a full time worker

- Recent changes in hydrology of the area, together with increasing climate change have increased the need for a full time worker to monitor the oxygen levels in the water environment of the existing and projected fishing and breeding lakes.

- The unpredictable nature of this occurrence necessitates the need for a worker to be resident day and night to deal with these emergencies when they happen and to comply with the new Animal Welfare Act being introduced later this year

- It will also provide additional security to the existing and proposed facilities and enable the supervision of anglers/visitors as well as daily management and duties required to monitor and supervise a successful and expanding rural enterprise

\* Whilst, in principle, these statements could be used to contribute towards making a case for a new dwelling in the countryside, no actual evidence has been submitted to support or verify these claims. For example, no details are included in relation to the nature and extent of the existing enterprise or with regard to the nature and extent of the 'expected increase in business activity and employment'

\* It is your officers' opinion that the information submitted, therefore, fails to satisfactorily substantiate the applicants' case

\* Similarly, no independent assessment accompanies the application as required by Policy HOU.6 demonstrating that an essential functional need exists

\* In these circumstances, it is considered that the information submitted fails to satisfy the criteria set out in Paragraph 10 and Annex A of PPS7 and Policy HOU6 of the Breckland Local Plan which require that applications for occupational dwellings are supported by evidence clearly identifying an essential functional need for a new dwelling in the countryside

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\* Notwithstanding the conflict with policy, the proposed development must also be assessed against national planning policy for housing

\* The proposed dwelling would be a chalet type dwelling which aims to have a barn-like appearance. The materials proposed are Norfolk pantiles, painted softwood doors and windows with timber cladding to walls

\* It is considered that the plot could satisfactorily accommodate a dwelling together with acceptable parking, turning and amenity area provision. The siting has been amended moving the dwelling away from existing trees to be retained in accordance with advice received from the Council's Assistant Tree and Countryside Officer and the design and appearance of the proposed dwelling is considered acceptable

\* Whilst these details are acceptable, the principle is considered to fail to meet National and Local Plan Policy as detailed above.

### **RECOMMENDATION**

**Refusal of Planning Permission**

### **REASON(S) FOR REFUSAL**

- 9042** Adopted D.W.L.P.(September 1999) HOU.6 - Outside villages
- 9042** Adopted D.W.L.P.(September 1999) HOU.6 - Outside villages
- 9044** Policy not met outside settlement
- 9048** No evidence that cannot be met in settlement
- 9900** Insufficient evidence to satisfy PPS7 & saved Policy HOU.6
- 9300** Setting a precedent

<b>ITEM</b>	<b>6</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2009/0092/F	
<b>LOCATION:</b>	HORNINGTOFT Elmroyd Oxwick Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr R Storey & Ms S Moden Elmroyd Oxwick Road	
<b>AGENT:</b>	Rod Atkins Architectural Desig Blackwater Cottage Southburgh Road	
<b>PROPOSAL:</b>	Part demolition of existing, & extensions at ground & first floor levels proposed	

#### KEY ISSUES

1. Impact upon the character and appearance of the area.
2. Impact upon neighbour amenity.
3. Impact upon highway safety.

#### DESCRIPTION OF DEVELOPMENT

The application proposes part demolition of the existing single storey property and the erection of extensions at ground and first floor to create a chalet style property. The dwelling will go from a 2-bed single storey dwelling with modest kitchen, living area, shower room, porch and attached garage to a 3-bed property (all bedrooms to be located within the roof space) with an open plan dining/living area and kitchen at ground floor along with a separate lounge, utility, study, porch and shower room. It is also proposed to render the property and incorporate red brick detailing on the chimneys and porch.

#### SITE AND LOCATION

Elmroyd is a modest single storey property which occupies a large rural plot and is accessed off Oxwick Road. Agricultural land lies to the North and West of the site with The Cottage to the East and Ivy Farm to the South, both of which are 2-storey properties. A 6ft fence has been erected to the front and side (West) of the property and planting and fencing separates Elmroyd from The Cottage however this boundary is relatively open.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

### **RELEVANT SITE HISTORY**

The Council's Enforcement team were notified of the new fence and access on site. This has been investigated and no further action will be taken. The fence is set 2 metres back from the highway and Oxwick Road is unclassified, therefore a new access would not require planning permission.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Sustainable Development.

PPS7: Sustainable Development in Rural Areas.

### **CONSULTATIONS**

HORNINGTOFT P C

No objection, comments.

COUNCIL'S TREE AND COUNTRYSIDE OFFICER: No comments.

HIGHWAYS AUTHORITY: Comments with regard to material being deposited on the carriageway from the site - condition required in relation to the new access.

### **REPRESENTATIONS**

None

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

### **ASSESSMENT NOTES**

- \* The application is referred to Development Control Committee as the applicant is a Breckland Council employee.
- \* The Parish Council raised no objection but have raised various points regarding the new access and fencing surrounding the site, - the Highways Authority has been consulted as a result and has raised concerns about possible implications upon highway safety as a result of restricted visibility. Conditions have been imposed as a result. Whilst these in themselves do not form part of this proposal it is deemed an acceptable way of dealing with the highway safety issues raised by the Parish Council without requiring an additional application, to which, there would no objection subject to the imposition of the same conditions.
- \* The Council's Tree & Countryside Officer has raised no objection to the scheme.
- \* The detail of the front elevation was raised as an issue at the informal stage. However, it is apparent from the plans that the larger dormer is necessary in order to provide head height and light for the proposed stairway and landing. The main access door is proposed to the side (West elevation) as this enables the applicants to utilise the interior space more efficiently. Considering the above, as well as the existing mix of house types and styles along Oxwick Road, the design, as proposed, is deemed acceptable.
- \* Whilst the extension is of a substantial size, an adequate amount of garden/amenity space will remain for the occupants of Elmroyd. It is considered that this proposal will provide much needed family accommodation whilst also improving the appearance of the existing, relatively featureless, building. In addition, the properties in the immediate vicinity of Elmroyd are two storey, each consisting of a completely different style and house type.
- \* In conclusion, the proposal is considered acceptable and recommended for approval, subject to conditions.

### **RECOMMENDATION**

**Planning Permission**

### **CONDITIONS**

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3104** External materials to be approved
- 3740** Highway condition/access
- 3740** Highway condition/visibility splay
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans

# BRECKLAND COUNCIL

P N Daines MRICS, Dip Env P, MRTPI  
Development Services Manager  
Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE  
Tel: Dereham (01362) 656873 Fax: Dereham (01362) 696771

LO

## NOTIFICATION OF PLANNING APPLICATION TO PARISH COUNCIL

<b>Name and Address of Applicant</b>	<b>Location of Proposal</b>	<b>Planning Reference No.</b>
Mr R Storey & Ms S Moden Elmroyd Oxwick Road Horningtoft Dereham NR20 5DX	HORNINGTOFT Elmroyd Oxwick Road	3PL/2009/0092/F

BRECKLAND COUNCIL  
- 2 MAR 2009  
POST ROOM

<b>Name and Address of Agent</b>	<b>Description of Proposal</b>
Rod Atkins Architectural Designs Blackwater Cottage Southburgh Road Reymerston Norwich NR9 4QD	Part demolition of existing, & extensions at ground & first floor levels proposed

BRECKLAND COUNCIL  
02 MAR 2009  
DEVELOPMENT CONTROL

The above planning application was received in this Directorate on 2nd February 2009.

I shall be pleased to receive any observation your Council may wish to make within 21 days from 12th February 2009. If the timing of your reply proves difficult, or if you wish to discuss the case please telephone this office.

A copy of the application form and plans of the development are enclosed for your information.

In order that the matter may be dealt with expeditiously, and there is no confusion over the application to which you refer, please use the bottom part of this form to reply.

Please note that should this application need to be determined by the Development Control Committee, a representative of your Council can speak at the meeting if your members consider it necessary.

To  
Development Services Manager  
Elizabeth House  
Walpole Loke  
Dereham  
Norfolk NR19 1EE

26/2/09  
Planning Ref. No. 3PL/2009/0092/F

Comments of HORNINGTOFT P C

Delete as appropriate:

**\*\* No Objection**

\*\* Objection

\*\* Comments -

SEE OVER LEAF

Councillors would like to advise the following comments regarding the fence which was erected immediately after Mr Storey and Ms Moden moved in:

- 1) Visibility - the access onto Oxwick Road is angled so as to restrict visibility back towards Thumb Lane and the bend on Oxwick Road for any vehicle exiting the property which could result in an accident. What, if any, is the visible access in metres required in each direction by Highways?
- 2) Height - the height is disproportionate in its position on a very narrow lane and is aesthetically unattractive in its rural setting.
- 3) Verge - this seems to encroach onto the actual lane and although appearing partly to conform with the two metres ruling from the edge of the road, the fence seems to be less than this in places.

Councillors are aware that it is hoped a meeting between Highways and the Planning Officer will take place on site and would like the comments mentioned above to be taken into consideration.

<b>ITEM</b>	<b>7</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2009/0095/F	
<b>LOCATION:</b>	GREAT ELLINGHAM Building Plot at Attleborough Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlement Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr S Mellor New Haven Attleborough Road	
<b>AGENT:</b>	John Spencer Drawing Services Magnum House Deopham Green	
<b>PROPOSAL:</b>	Erection of pair of semi-detached cottages to replace single detached bungalow (already appr)	

#### KEY ISSUES

1. Development outside Settlement Boundary
2. Noise and disturbance from adjacent business

#### DESCRIPTION OF DEVELOPMENT

The proposal seeks full permission for the erection of a pair of semi detached two storey dwellings. The dwellings will be constructed using red brick and pantiles. Access to the site is from an existing access off Attleborough Road. The proposal provides for the retention of the hedge to the front boundary.

#### SITE AND LOCATION

The site is a building plot located to the east of Attleborough Road (B1077) on land outside the Settlement Boundary. Footings for a large bungalow have been constructed but the land is currently overgrown with vegetation.

The site is surrounded by development. Immediately to the north of the site is a traditional two storey rendered property with a further two properties along the road frontage. To the south is a bungalow and a further two dwellings. The site abuts a scrap yard to the east which is owned by the applicant. Development to the west is within the Settlement Boundary and consists of a variety of dwellings, both single and two storey. The development to the east of the B1077 has been excluded from the Settlement Boundary.

A public footpath exists between the site and the house to the north.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

### **RELEVANT SITE HISTORY**

The site has the benefit of an extant permission for a bungalow granted in 1983.  
A recent application, submitted in 2008, was refused on the basis that no information had been submitted to demonstrate that the occupants of the proposed dwellings would not suffer undue noise and disturbance from the adjacent scrap yard.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Sustainable Development  
PPS3: Housing  
PPG24: Noise  
HOU4: Development in villages  
HOU6: Development outside Settlement Boundaries

### **CONSULTATIONS**

GREAT ELLINGHAM P C

No Objection

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER: No objection subject to condition requiring fencing

HIGHWAY AUTHORITY: No objection subject to conditions

COUNCIL'S ENVIRONMENTAL PLANNING OFFICER - Objection based on conflict with policies

COUNCIL'S CONTAMINATED LAND OFFICER - Concerns raised regarding lack of information regarding possible contamination

### **REPRESENTATIONS**

None

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

### **ASSESSMENT NOTES**

- \* The proposal is referred to the Development Control Committee as a departure to policy.
- \* The site is outside the Settlement Boundary and therefore the proposal is contrary to Policy HOU6. However, the site is within a built up frontage and surrounded on all sides by development. The aim of HOU6 is to prevent the intrusion/encroachment of development into the countryside. This will not occur in this instance. Similarly the development will not result in the encroachment of development into the countryside and will not result in the consolidation of the existing development.
- \* The site also benefits from an extant permission for the erection of a dwelling which is a strong material consideration in this instance. It is considered that, due to the relationship of the site to the existing development and the extant permission, a refusal based on Policy HOU6 cannot be justified and an exception to policy can be made in this instance.
- \* The design, scale and size of the proposed dwellings is considered appropriate and in keeping with the context of the surrounding pattern of development. The proposed dwellings are sufficient distance from neighbouring properties to allow for adequate levels of privacy and outlook to both the existing and proposed dwellings. The Highway Authority requires a slightly larger turning area. This can be addressed through an appropriate condition.
- \* Planning Policy Guidance No 24 requires planning authorities to consider whether proposals for noise sensitive development would be compatible with existing activities and the likely level of noise exposure at the time of the application. Any future increases that may be reasonably expected are also required to be considered. The applicant has submitted an independent noise survey which has been assessed by the Environmental Health Officer. The report recommends the erection of a 1.8m solid close board fence of at least 12kg/m<sup>2</sup>. The Environmental Health Officer has raised no objection to the proposal based on the acoustic report subject to the erection of the solid fence to the rear boundary. A condition has been imposed in this respect.
- \* It is considered that the previous reasons for refusal have been overcome and the application is recommended for approval.

### **RECOMMENDATION**

**Planning Permission**

### **CONDITIONS**

- 3007** Full Permission Time Limit (3 years)
- 3048** In accordance with submitted AMENDMENTS
- 3104** External materials to be approved
- 3412** Hedges to be retained
- 3920** Close Boarded Fencing
- 3740** Access Gates
- 3740** Provision of Visibility Splays
- 3740** Provision of Parking and Servicing Areas
- 3946** Contaminated Land - Unexpected Contamination
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

<b>ITEM</b>	<b>8</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2009/0123/O	
<b>LOCATION:</b>	CASTON Plot 1 Rear of White House The Street	<b>APPN TYPE:</b> Outline <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> Y <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Miss Anne Bustard 52 Neatherd Road Dereham	
<b>AGENT:</b>	Mr P Taylor 64 Grandfield Avenue Watford	
<b>PROPOSAL:</b>	Revised house type for plot 1 from semi detached to linked detached (previous applic. 3PL/2008/0975/O)	

### **KEY ISSUES**

1. Impact upon character and appearance of the locality
2. Impact upon highway safety
3. Impact upon neighbour amenity
4. Impact upon trees
5. Regard for previous approval 3PL/2008/0975/F

### **DESCRIPTION OF DEVELOPMENT**

The application seeks outline planning permission for a revised layout to plot 1 of a previously approved scheme for 4 new dwellings on land adjacent to the White House. The application required "layout" only to be considered with all other matters reserved.

### **SITE AND LOCATION**

The site currently forms part of the residential curtilage of the White House, which is a vacant detached, two storey house with a field to the rear of its curtilage. To the south is The Street, which provides vehicular access to the site; to the west is the aforementioned dwelling; to the east are existing residential dwellings and to the north is open countryside. The boundaries to the site are delineated by mature vegetation

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

### **RELEVANT SITE HISTORY**

3PL/2008/0975/O - Erection of one 3 bed detached bungalow, one 4 bed detached bungalow & two 4 bed semi-detached dwellings - Approved.

3PL/2008/0363/O - Demolition of existing dwelling and replacement of 6 private and 2 affordable dwellings - Refused.

3PL/2008/0049/O - Demolition of existing dwelling and replacement of 8 private and 8 affordable dwellings - Withdrawn.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Sustainable Development,

PPS3: Housing

PPS9: Biodiversity & Geological Conservation

HOU4: Development in villages

TRA5: Highway safety

### **CONSULTATIONS**

CASTON P C

NO REPLY AS AT 13TH MARCH, 2009

ENVIRONMENT AGENCY - No objection subject to conditions.

HIGHWAY AUTHORITY - No objection subject to conditions.

COUNCIL'S TREE & COUNTRYSIDE OFFICER - No objection in principle subject to revised details in relation to the root protection areas and construction exclusion zones, conditions will be required.

NATURAL ENGLAND - No reply

### **REPRESENTATIONS**

Objections on the grounds of the proposal creating a continuous row of buildings on the skyline, concerns at removal of hedge to the front of the site and impact of development on character of area.

**ASSESSMENT NOTES**

- \* The application is referred to Development Control Committee given the site history.
- \* A previous scheme at this site was approved by the Planning Committee for the construction of 4 new dwellings 3PL/2008/0975/O and this application seeks to vary plot 1 of the approved scheme. The revision is in the form of proposing a detached linked property as opposed to the approved semi-detached arrangement.  
In visual terms, the variation would not significantly compromise the layout and the final designs for the units would be considered as part of any subsequent reserved matters application.
- \* In terms of neighbour amenity, the revised layout would create no additional harm when assessed against the current approval, with full details of size and position of openings to be approved as part of a subsequent reserved matters application.
- \* The Highway Authority have confirmed that they have no objections subject to the use of appropriate conditions, consistent with the previous approval.
- \* The revised proposal has implications for TPO trees on the perimeter of the site and, as such, revised details have been requested and appropriate conditions are required. Subject to appropriate further details being received, the proposal will have adequate regard to the trees.
- \* The site is located within both Flood Zones 2 and 3 and as such a Flood Risk Assessment was prepared. This has been assessed by the Environment Agency and they have confirmed that they have no objections subject to conditions. Their comments remain the same as previously expressed.
- \* Any approval will also require a legal agreement which requires the existing White House to be refurbished to a habitable standard for 10 years and clarification is being sought as to whether the existing agreement could be applicable to this application if approved or whether a new legal agreement would be required. This will be reported verbally.
- \* In conclusion, it is considered that the scheme would cause no additional harm beyond the approved scheme for the site and, as such, is recommended for approval.

**RECOMMENDATION**

**Outline Planning Permission**

**CONDITIONS**

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 30-03-2009**

- 3005** Outline Time Limit (3 years)
- 3058** Standard Outline Condition
- 3060** Standard outline landscaping condition
- 3048** In accordance with submitted AMENDMENTS
- 3920** Reserved Matters include design statement
- 3106** External materials and samples to be approved
- 3402** Boundary screening to be agreed
- 3408** Landscaping - details and implementation
- 3131** Window details to be agreed
- 3920** Floor levels to be set
- 3920** Flood resilient construction
- 3920** PD rights removed from part of site liable to flood
- 3202** Single storey dwelling only
- 3920** Surface water drainage
- 3920** Protection & mitigation of water voles etc
- 3740** Vehicular access
- 3740** Visibility splay
- 3740** Access/on-site parking/servicing/turning
- 3740** Vehicular/pedestrian/cyclists
- 3920** Arboricultural implication statement
- 3994** S106 note
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans